



PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                 |
|------------------------|-----------------|
| Application Number     | 10/811,228      |
| Filing Date            | March 26, 2004  |
| First Named Inventor   | GIFFORD, HANSON |
| Art Unit               | 3738            |
| Examiner Name          | Unassigned      |
| Attorney Docket Number | 022128-000400US |

**ENCLOSURES (Check all that apply)**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard<br>International (PCT) Search Report<br>PTO/SB/08A and /08B Form<br>0 Reference Copies |
|---|---|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                                    |          |        |
|--------------|------------------------------------|----------|--------|
| Firm Name    | Townsend and Townsend and Crew LLP |          |        |
| Signature    |                                    |          |        |
| Printed name | Scott M. Smith                     |          |        |
| Date         | 12/7/04                            | Reg. No. | 48,268 |

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature

Typed or printed name

Tiffany Wu

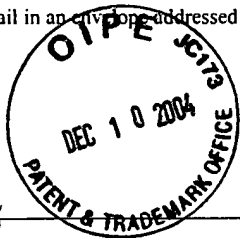
Date

12/7/04

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Attorney Docket No.: 022128-000400US

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Alexandria, VA 22313-1450



On

12/7/04

TOWNSEND and TOWNSEND and CREW LLP

By:

Tiffany Wu

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

GIFFORD et al.

Application No.: 10/811,228

Filed: March 26, 2004

For: METHODS AND APPARATUS  
FOR TREATMENT OF PATENT  
FORAMEN OVALE

Examiner: Unassigned

Art Unit: 3738

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are not enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

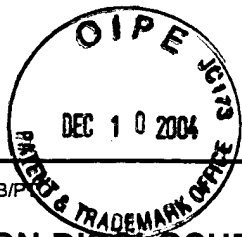
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Scott M. Smith  
Reg. No. 48,268

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
SMS:bjl  
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|---|---|----|--------------------------|------------------------|-----------------|
| <b>Substitute for form 1449B/P</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    | <b>Complete if Known</b> |                        |                 |
|   |   |    | Application Number       | 10/811,228             |                 |
|   |   |    | Filing Date              | March 26, 2004         |                 |
|   |   |    | First Named Inventor     | GIFFORD, HANSON        |                 |
|   |   |    | Art Unit                 | 3738                   |                 |
|   |   |    | Examiner Name            | Unassigned             |                 |
| Sheet   | 3 | of |                          | Attorney Docket Number | 022128-000400US |

| U.S. PATENT DOCUMENTS+ |                          |  |                                |  |   |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        | AA                       | US-2001/0037129                          | 11-01-2001                     | Thill  |   |
|                        | AB                       | US-2003/0045893                          | 03-06-2003                     | Ginn   |   |
|                        | AC                       | US-2003/0050665                          | 03-13-2003                     | Ginn   |   |
|                        | AD                       | US-5,370,675                             | 12-06-1994                     | Edwards et al.                                     |   |
|                        | AE                       | US-5,500,012                             | 03-19-1996                     | Brucker et al.                                     |   |
|                        | AF                       | US-5,507,744                             | 04-16-1996                     | Tay et al.   |   |
|                        | AG                       | US-5,919,200                             | 04-16-1996                     | Holman et al.                                      |   |
|                        | AH                       | US-6,056,760                             | 05-02-2000                     | Kishigami et al.                                   |   |
|                        | AI                       | US-6,401,720                             | 06-11-2002                     | Gifford et al.                                     |   |
|                        | AJ                       | US-6,482,224                             | 11-19-2002                     | Homma et al.                                       |   |
|                        | AK                       | US-6,702,835                             | 03-09-2004                     | Ginn   |   |

| FOREIGN PATENT DOCUMENTS |                          |                           |                     |                                   |                                |   |  |                          |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup>           |
|                          |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                |   |  |                          |
|                          | AL                       | WO                        | 98/07375            |                                   | 02-26-1998                     | Homma et al.  |  | <input type="checkbox"/> |
|                          | AM                       | WO                        | 03/053493           |                                   | 07-03-2003                     | Chanduszko et al.                                     |  | <input type="checkbox"/> |
|                          | AN                       | WO                        | 03/082076           |                                   | 10-09-2003                     | Callaghan et al.                                      |  | <input type="checkbox"/> |
|                          |                          |                           |                     |                                   |                                |   |  | <input type="checkbox"/> |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>2</sup> |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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